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December 10, 2001

#### **BY HAND DELIVERY**

RECEIVED

Ms. Magalie Roman Salas Federal Communications Commission FCC Portals II 445 12th Street, SW., Room TW-B204 Washington, DC 20554

DEC 1 0 2001

FEBERAL COMMINICATIONS COMMINION
OFFICE OF THE SECRETARY

Re: C.F. Communications Corp., et. al., v. Century Telephone of Wisconsin, Inc., et. al., EB Docket No. 01-99 File Nos. E-93-56

Dear Ms. Salas:

Please find enclosed copies of motions to dismiss in connection with the above referenced proceedings. We have enclosed an original and six copies of each motion for your office. In addition, we enclosed a copy of each motion for Judge Arthur Steinberg, Tejal Mehta and David H. Solomon. Thank you for your attention to this matter.

Sincerely,

Kenneth B. Trotter

Ken Trottes sk

KBT/sk

Enclosures

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### Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

In the Matter of		
C.F. Communications Corp., et. al., Complainants,	) ) )EB Docket No. 01-9	99
v.	) )File No. E-93-56	RECEIVED
Century Telephone of Wisconsin, Inc., et. al.,	)	DEC 1 0 2001
Defendants.	) ) )	PROBRAL COMMUNICATIONS COMMISSION GAYICE OF THE SECRETARY

To: **Administrative Law Judge** Arthur I. Steinberg

## JOINT MOTION TO DISMISS WITH PREJUDICE

Pursuant to Section 1.727 of the Commission's Rules, 47 C.F.R. § 1.727, Alcazar Homes Ltd. and Verizon New York Inc., by their attorneys, hereby jointly move to dismiss with prejudice the complaint in File No. E-93-56. The parties have reached a full and complete settlement of this proceeding. Pursuant to the parties' agreement, each party shall be responsible for its own costs and attorneys' fees.

Respectfully submitted,

ALCAZAR HOMES, LTD.

VERIZON NEW YORK INC.

Katherine J. Henry

DICKSTEIN SHAPIRO MORIN

& OSHINSKY LLP

2101 L Street, NW

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(202) 785-9700

Dated: December /0, 2001

By:

boodman (KBT

1300 I. Street, NW

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Washington, DC 20005

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#### CERTIFICATE OF SERVICE

I hereby certify that on December 10, 2001, a copy of the foregoing Joint Motion To Dismiss With Prejudice was served by hand-delivery, facsimile, and/or first-class mail, postage prepaid, as indicated below, on the following:

#### By Hand-Delivery:

The Honorable Arthur I. Steinberg Administrative Law Judge Federal Communications Commission 445 12<sup>th</sup> Street, SW Room 1-C861 Washington, DC 20554

Magalie Roman Salas, Secretary Office of the Commission Secretary Federal Communications Commission 445 12<sup>th</sup> Street, SW, Room TW-B204 Washington, D.C. 20554 (Original and Three Copies)

Tejal Mehta, Esquire Federal Communications Commission Market Disputes Resolution Division Enforcement Bureau 445 12<sup>th</sup> Street, SW Washington, D.C. 20554

David H. Solomon, Chief Enforcement Bureau Federal Communications Commission 445 12<sup>th</sup> Street, SW Washington, DC 20554

## By Facsimile and First-Class Mail, Postage Prepaid:

Sherry A. Ingram, Esquire Verizon 1320 North Court House Road Arlington, VA 22201 John M. Goodman, Esquire Verizon 1300 I Street, NW 400W Washington, DC 20005

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Rikke Davis, Esquire Sprint Corporation 401 9<sup>th</sup> Street, NW, Suite 400 Washington, D.C. 20004

Mary Sisak, Esquire Robert Jackson, Esquire Blooston, Mordkowfsky, Dickens, Duffy & Prendergast 2120 L Street, NW, Suite 300 Washington, D.C. 20037

Kenneth B. Trotter

# Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

In the Matter of	) ) )
C.F. Communications Corp., et. al., Complainants,	) )EB Docket No. 01-99 )
v.	)File Nos. E-93-34, E-93-35, E-93-36 )E-93-37, E-93-38, E-93-40, E-93-41
Century Telephone of Wisconsin, Inc., et. al.,	)E-93-42, E-93-43, E-93-44, E-93-45 )E-93-46, E-93-47, E-93-48, E-93-50 )E-93-56, E-93-59, E-93-60, E-93-61
Defendants.	)E-93-62, E-93-74, E-93-81

#### **MEMORANDUM OPINION AND ORDER**

Issued:

Released:

Under consideration is a Joint Motion To Dismiss With Prejudice filed on December 10, 2001 Alcazar Homes Ltd. ("Alcazar") and Verizon New York Inc. ("Verizon"). This pleading relates to the complaint associated with File No. E-93-56.

Alcazar and Verizon state that they have reached an agreement resolving the litigation relating to the formal complaint associated with File No. E-93-56. They request, therefore, the dismissal of that complaint.

Good cause having been shown, the Joint Motion will be granted and the formal complaint associated with File No. E-93-56 will be dismissed.

Accordingly, IT IS ORDERED that the complaint associated with File No. E-93-56 IS DISMISSED with prejudice, and that File No. E-93-56 IS DELETED from the caption of this proceeding.

FEDERAL COMMUNICATIONS COMMISSION

Arthur I. Steinberg Administrative Law Judge